

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CPCI,

Plaintiff,

v.

TECHNICAL TRANSPORTATION, INC.,

Defendant.

Case No. C04-1519L

ORDER GRANTING PLAINTIFF'S
MOTION *IN LIMINE*

This matter comes before the Court on a motion *in limine* filed by plaintiff CPCI. (Dkt. #32). First, CPCI seeks to exclude evidence and argument that its damages should be limited to \$400 per television set. CPCI notes that Tech Trans moved for summary judgment seeking to limit plaintiff's damages to \$400 per set, and the Court denied the motion. In responding to this motion, Tech Trans agrees not to argue that CPCI's recoverable damages are limited to \$400 per set. The Court grants the motion as to this request. However, Tech Trans argues, and the Court agrees, that it should not be precluded from arguing and presenting evidence that CPCI's damages are less than the \$2,800 it claims.

Second, CPCI seeks an order excluding evidence and argument of alleged spoliation of evidence based on the fact that its assignor, The Hartford Insurance Company, directed that the sets be sold at salvage. Tech Trans has filed its own motion *in limine* requesting an instruction

1 to the jury on spoliation; the Court has denied that request. In light of that ruling, the Court
2 grants CPCI's request.

3 For all of the foregoing reasons, the Court GRANTS CPCI's motion *in limine* (Dkt. #32).
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5 DATED this 14th day of October, 2005.
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8 Robert S. Lasnik
9 United States District Judge
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